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HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 21514 of 2006

Dated 23rd November, 2007

Between

Vellamsetty Balaram

…Petitioner

and

The Superintendent of Police,
Guntur District, and, anr

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 21514 of 2006

ORDER:

In this Writ Petition, the petitioner seeks Writ of Mandamus to declare the action of the respondents in opening and continuing the rowdy sheet against him as illegal and arbitrary.

It is stated that the petitioner was accused in Sessions Case No. 447 of 2004 on the file of the learned VII Additional Sessions Judge, Guntur and the second respondent has opened rowdy sheet against him on 1-12-2003 as per the Standing Order 742 of the A.P. Police Standing Orders. It is mainly questioned on the ground that though in the said case, the petitioner was acquitted from the charges levelled against him, and, in spite of the fact that no new cases are registered against him, the said rowdy sheet is being continued illegally and

arbitrarily. The learned Counsel for the petitioner placed reliance on the judgment of this Court in *Mohammed Quadeer Vs. Commissioner of Police, Hyderabad City*[1].

On the other hand, learned Government Pleader appearing for the respondents submits that presently there are no cases pending against the petitioner. It is stated that as much as the petitioner was accused in some cases, in exercise of powers under Standing Order 742 of the A.P. Police Standing Orders, rowdy sheet is opened and being continued and reviewed from time to time and the same is in force up to 31-12-2007.

Even from the counter affidavit, it is not in dispute that though the petitioner was an accused in SC.No. 447 of 2004 and rowdy sheet was opened earlier, but, however it is specifically submitted by the learned Government Pleader that, presently, no new cases are registered against the petitioner. This Court in the case of *Mohammed Quadeer Vs. Commisjsioner of Police* (1 supra), held that provisions under Police Standing Order 735 for discontinuance or retention of History Sheets applies to Rowdy sheets also and rowdy sheet cannot be retained as a matter of course without application of mind and without there being any necessary material for such retention.

As much as it is stated that the petitioner was acquitted in SC.No.447 of 2004 and no new cases are registered against him, I dispose of the Writ Petition directing the respondents to review the rowdy sheet opened against the petitioner and pass appropriate orders in the light of the judgment of this Court in the case of *Mohammed Quadeer Vs. Commissioner of Police* (1 supra), within a period of four

weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 23-11-2007
Msnr.

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[1] 1999 (2) ALT 733